

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 7
)	
ELB Capital, LLC)	Case No. 08-10688
)	
Debtor.)	Judge Susan Pierson Sonderby
)	
)	Hearing: December 2, 2009 at 9:30 a.m.

DEBTOR'S MOTION TO COMPEL TRUSTEE TO ABANDON PROPERTY

NOW COMES the Debtor, ELB Capital, LLC, by and through its attorneys at Forrest L. Ingram, P.C., and for its Motion to Compel Trustee to Abandon Property pursuant to §554(b), states as follows:

1. On April 29, 2008, Debtor filed a petition for relief under chapter 7 of the U.S. Bankruptcy Code.
2. Upon the filing of Debtor's petition, Karen R. Goodman ("Trustee") was appointed as Chapter 7 trustee of Debtor's estate.
3. During the pendency of the chapter 7 case, the Trustee conducted a §341 meeting and determined that the Debtor does not have any equity in the properties held by the Debtor. These properties are commonly known as 448 Price, Calumet City, Illinois; 526 Buffalo, Calumet City, Illinois; 14710 Dante, Dolton, Illinois; 670 142nd Street, Dolton, Illinois; and 12247 Peoria, Chicago, Illinois (hereinafter, "Property").
4. There are no other assets to be liquidated to pay unsecured creditors and the Trustee has indicated she has no interest in the remaining Property.

5. Pursuant to 11 U.S.C. §554(b), on the request of a party in interest, a Court may order the Trustee to abandon any property to the estate that is of any inconsequential value and benefit to the estate.

6. Maurice Byrd, the president of ELB Capital and a Debtor in a chapter 7 case (no. 08-15662), has received multiple citations from the City of Chicago because the property has not been maintained, requiring him to appear in state court to respond personally to matters which should be handled by the Trustee or secured lender(s).

7. Debtor is seeking the property in an attempt to transfer the property in such a way as to satisfy any *in rem* mortgages or judgments in favor of secured lenders.

8. Without obtaining an order of abandonment, Debtor may not maintain the Property to prevent code violations and judgment creditors or mortgage holders shall remain without access to the Property.

9. Because the Property is of no further value to the estate, the Debtor asks that the Court order the Trustee to abandon her interest in the Property to the Debtor.

WHEREFORE, the Debtor, ELB Capital, LLC, respectfully requests that this Honorable Court enter an order, ordering the chapter 7 Trustee, Karen R. Goodman, to abandon her interest in all property of the estate, including the real property located at: 448 Price, Calumet City, Illinois; 526 Buffalo, Calumet City, Illinois; 14710 Dante, Dolton, Illinois; 670 142nd Street, Dolton, Illinois; and 12247 Peoria, Chicago, Illinois, and grant such other and further relief this Court deems just.

Respectfully submitted,
ELB CAPITAL, LLC

By: /s/ Forrest L. Ingram
One of its attorneys

Forrest L. Ingram
Michael V. Ohlman
Vic Chaudhry
Phil Groben
FORREST L. INGRAM, P.C.
79 W. Monroe St., Suite 900
Chicago, IL 60603
(312) 759-2838